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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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VERNON MONTGOMERY,

Petitioner,

*versus*

DALLAS B. JONES,

Respondent.

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CIVIL ACTION NO. 1:15-CV-345

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Vernon Montgomery, a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommended dismissing the petition without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#9) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 15th day of September, 2016.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE